

## **NEGATIVE DECLARATION**

The Director of Planning, Building and Code Enforcement has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

**NAME OF PROJECT:** Bertelsen Property General Plan Amendment and Rezoning

**PROJECT FILE NUMBER:** GP16-002 and C16-007

**PROJECT DESCRIPTION:** General Plan Amendment request to change the General Plan Land Use Designation of the 0.97-acre site from *Neighborhood/Community Commercial* to *Mixed Use Neighborhood*. The *Mixed Use Neighborhood* land use designation allows for new infill development primarily with either townhouse or small lot single-family residences in areas with a wide variety of housing types, including a mix of residential densities and forms. The designation also supports commercial or mixed-use development integrated within the *Mixed Use Neighborhood* area.

**PROJECT LOCATION:** 18590 Almaden Road, located at the southeast corner of Almaden Road and Burnside Drive (Assessor Parcel Number) in the Almaden Valley area of San José.

**ASSESSORS PARCEL NO:** 701-62-007

**COUNCIL DISTRICT:** 10

**APPLICANT:** David Bertelsen

**FINDING:** The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies no significant effects on the environment.

### **NO MITIGATION MEASURES ARE INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL**

- I. AESTHETICS.** The project will not have a significant impact on aesthetics or visual resources, therefore no mitigation is required.
- II. AGRICULTURE AND FOREST RESOURCES.** The project will not have a significant impact on agriculture or forest resources, therefore no mitigation is required.
- III. AIR QUALITY.** The project will not have a significant air quality impact, therefore no mitigation is required.

- IV. BIOLOGICAL RESOURCES.** The project will not have a significant biological resources impact, therefore no mitigation is required.
- V. CULTURAL RESOURCES.** The project will not have a significant impact to cultural resources, therefore no mitigation is required.
- VI. GEOLOGY AND SOILS.** The project will not have a significant geologic impact, therefore no mitigation is required.
- VII. GREENHOUSE GAS EMISSIONS.** The project will not have a significant impact to greenhouse gas emissions, therefore no mitigation is required.
- VIII. HAZARDS AND HAZARDOUS MATERIALS.** The project will not have a significant impact on hazards and hazardous materials, therefore no mitigation is required.
- IX. HYDROLOGY AND WATER QUALITY.** The project will not have a significant impact on hydrology and water quality, therefore no mitigation is required.
- X. LAND USE AND PLANNING.** The project will not have a significant land use impact, therefore no mitigation is required.
- XI. MINERAL RESOURCES.** The project will not have a significant impact on mineral resources, therefore no mitigation is required.
- XII. NOISE.** The project will not have a significant impact on noise, therefore no mitigation is required.
- XIII. POPULATION AND HOUSING.** The project will not have a significant population and housing impact, therefore no mitigation is required.
- XIV. PUBLIC SERVICES.** The project will not have a significant impact on public services, therefore no mitigation is required.
- XV. RECREATION.** The project will not have a significant impact on recreation, therefore no mitigation is required.
- XVI. TRANSPORTATION / TRAFFIC.** The project will not have a significant impact on transportation or traffic, therefore no mitigation is required.
- XVII. UTILITIES AND SERVICE SYSTEMS.** The project will not have a significant impact on utilities and service systems, therefore no mitigation is required.
- XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.** The project will not substantially reduce the habitat of a fish or wildlife species, be cumulatively considerable, or have a substantial adverse effect on human beings.

## **PUBLIC REVIEW PERIOD**

Before 5:00 p.m. on **September 4, 2016**, any person may:

1. Review the Draft Negative Declaration (ND) as an informational document only; or
2. Submit written comments regarding the information and analysis in the Draft ND. Before the ND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft ND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final ND.

Harry Freitas, Director  
Planning, Building and Code Enforcement

  
Deputy

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